

FILED

NOT FOR PUBLICATION

MAR 14 2006

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

ISABEL MARTINEZ; CRISTINA
CISNEROS MEDINA,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-74912

Agency Nos. A95-604-753
A95-604-754

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted March 8, 2006**

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Isabel Martinez and Cristina Cisneros Medina, natives and citizen of Mexico, petition for review of the Board of Immigration Appeals' ("BIA") decision affirming an immigration judge's ("IJ") order denying their motion to reopen removal proceedings conducted in absentia. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion, *Singh v. INS*, 213 F.3d 1050, 1052 (9th Cir. 2000), and we deny the petition for review.

The IJ did not abuse her discretion in denying the motion to reopen because the record establishes that the hearing notice was personally served on petitioners' counsel of record, in petitioners' presence, at the master calendar hearing. *See Garcia v. INS*, 222 F.3d 1208, 1209 (9th Cir. 2000) (per curiam) (rejecting claim of inadequate notice where government personally served written notice of hearing on applicant's counsel and applicant did not raise ineffective assistance of counsel claim).

Contrary to petitioners' contention, the BIA did not summarily affirm without opinion.

PETITION FOR REVIEW DENIED.